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Security Council

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Security Council Committee established pursuant to resolution 1737 (2006)

Note verbale dated 5 August 2010 from the Permanent Mission of Finland to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of Finland to the United Nations, in referring to paragraph 31 of Security Council resolution 1929 (2010), has the honour to communicate the following information concerning the implementation in Finland of the United Nations sanctions against Iran:

Measures adopted by the European Union

The European Union immediately initiated the preparation of legal instruments implementing the provisions of resolution 1929 (2010).

On 18 June 2010, Commission Regulation No. 532/2010 was adopted amending the Council Regulation (EC) No. 423/2007 by including the persons and entities designated by the Security Council on 9 June 2010 in the list of persons, entities and bodies subject to the asset freeze as set out in annex IV to Council Regulation No. 423/2007.

On 26 July 2010, the European Union Council adopted Council Decision 2010/413/CFSP concerning restrictive measures against Iran. The Council Decision sets out the basis for European Union implementation of all the measures contained in resolution 1929 (2010).

Council Decision 2010/413/CFSP also provides the basis for European Union specific accompanying measures within the scope of the resolutions, notably:

- Export ban on certain other items, in addition to those determined by the Sanctions Committee, which could contribute to Iran's nuclear-related programme or other weapons of mass destruction-related programmes;
- Autonomous designations under the visa ban and the asset freeze, to be decided by the Council of the European Union, of persons and entities involved in proliferation-sensitive nuclear activities or in violations of Security Council resolutions, of individuals and entities of the Islamic Revolutionary Guard Corps and of the Islamic Republic of Iran Shipping Lines and its subsidiaries.

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- Enhanced vigilance over the activities of financial institutions within the jurisdiction of European Union member States with banks and financial entities linked to Iran, notably through a prior authorization regime for all transactions above a certain amount.
- Prohibition to open new branches and subsidiaries of Iranian banks in the European Union and to establish new banking relationships with Iranian banks.
- Prohibition to provide insurance and re-insurance to Iranian entities.
- Prohibition of sale, purchase and brokering of Government bonds.
- Measures in the transport sector concerning the prohibition for Iranian cargo flights to have access to European Union airports and the prohibition to provide engineering and maintenance services to Iranian cargo flights.

In addition to the Council Decision, the Council adopted on 26 July 2010 Regulation (EU) No. 668/2010 implementing Article 7 (2) of the Council Regulation (EC) No. 423/2007 on restrictive measures against Iran in order to legally enforce the asset freeze for the new EU autonomous designations of persons and entities.

Preparations are under way to adopt without delay a Council Regulation implementing the measures of the Council Decision falling under the competence of the Union.

National implementing measures

At the national level, sanctions are imposed by virtue of the Act on the Enforcement of Certain Obligations of Finland as a Member of the United Nations and of the European Union ("Sanctions Act", No. 659/1967).

The Sanctions Act, together with the Penal Code (No. 39/1889), provides for penalties and forfeitures to be imposed for violations of Council sanctions regulations. According to Chapter 46, Section 1 (11) of the Penal Code, a person who violates or attempts to violate a regulatory provision in a sanctions regulation, shall be sentenced for a regulation offence to a fine or to imprisonment for at most four years.

The arms embargoes imposed by the Security Council and the European Union are implemented at the national level by virtue of the Act on the Export and Transit of Defence Materiel (Act. No. 242/1990, as amended by Acts 197/1995, 893/2001, 385/2002 and 900/2002). According to the Act, the export, transit or brokerage of defence materiel is subject to specific authorization (export and brokerage licence). A licence to export or broker shall not be granted if it jeopardizes Finland's security or is inconsistent with Finland's foreign policy. The General Guidelines for Export, Transit and Brokerage of Defence Materiel adopted by the Government (No. 1000/2002), as amended by Government Decision 101/2003 provide that economic sanctions and arms embargoes imposed by the Security Council or by the European Union shall be complied with when granting an export licence or licence to the transhipment of defence materiel.

According to Section 7 of the Act on the Export and Transit of Defence Materiel, a person who commits an export offence shall be fined or imprisoned for a maximum period of four years.